

REMARKS/ARGUMENTS

This paper is submitted in response to the Office Action mailed August 2, 2005. In the Office Action, the Examiner rejected claims 8, 9, and 13 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 3,328,570 of C.A. Balchunas (hereinafter "Balchunas"). Claims 10, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Balchunas in view of United States Patent No. 5,190,365 to Cordy, Jr. (hereinafter "Cordy"). Furthermore, claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Balchunas in view of Applicant's admitted prior art Figure 3 (hereinafter "APA"). Lastly, claims 1-5 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cordy in view of APA.

By this paper, claims 1, 8, and 11 have been amended to more clearly claim the invention and remove ambiguity. Support for these amendments may be found in Figures 10(e) and pages 7 and 8 of the application. In view of these amendments and the following remarks, reconsideration and allowance of claims 1-5 and 7-14 is respectfully requested.

Withdrawal of Finality of this Office Action

Applicant thanks Examiner Truong for discussing the "final" status of the Office Action by telephone on October 11, 2005. During that discussion, it was noted that claim 1, which had been amended to incorporate the allowable subject matter of claim 6, had been newly rejected. The rejection was not necessitated by the amendment. Therefore, the "final" status was not appropriate. Consequently, Examiner Truong agreed to withdraw the finality of this Office Action.

Rejection of Claims 8, 9, and 13

In the Office Action, the Examiner rejected claims 8, 9, and 13 under 35 U.S.C. §102(b) as being anticipated by Balchunas. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as

complete detail as is contained in the . . . claim.” *Id.* (quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicant respectfully submits that Balchunas does not disclose each and every element of independent claim 8. For example, independent claim 8 provides that “the slanted light guiding part forms only one side slope.” Claims 9 and 13 depend from claim 8 and thus, also include this claim language.

In contrast, Balchunas discloses a light transmitting means 4 having a top side slope and a bottom side slope as shown in Figure 1, which is attached as Exhibit A. Thus, the light transmitting means 4 does not form only one side slope as recited by claim 8. Consequently, Balchunas does not disclose each and every element of claims 8, 9, and 13.

Rejection of Claims 10, 12, and 14

In the Office Action, the Examiner rejected claims 10, 12, and 14 under 35 U.S.C. §103(a) as being unpatentable over Balchunas in view of Cordy. To establish prima facie obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *MPEP* §2143.03.

Claims 10, 12, and 14 depend from independent claim 8, which provides that “the slanted light guiding part forms only one side slope.” Applicant respectfully submits that Balchunas in view of Cordy does not teach this claim language. As discussed above, Balchunas discloses a light transmitting means 4 having a top side slope and a bottom side slope as shown in Figure 1 of Exhibit A. Similarly, Cordy discloses a top side slope and a bottom side slope as shown in Figures 6 and 7, which is attached as Exhibit B. Furthermore, neither Balchunas nor Cordy teach or suggest the slanted light guiding part form only one side slope as provided in claims 10, 12, and 14.

Because Balchunas in view of Cordy does not disclose all of the elements of claims 10, 12, and 14, the *prima facie* obviousness of claims 10, 12, and 14 has not been established. Thus, claims 10, 12, and 14 are patentable over Balchunas in view of Cordy.

Rejection of Claim 11

In the Office Action, the Examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Balchunas in view of APA. To establish *prima facie* obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *MPEP* §2143.03. Claim 11 depends from independent claim 8 and thus, includes the claim language that provides that “the slanted light guiding part forms only one side slope.” As noted above, Balchunas does not disclose, teach or suggest a slanted light guiding part form only one side slope as provided for in claim 11. Similarly, APA does not disclose a slanted light guiding part.

Consequently, Balchunas in view of APA does not disclose all of the elements of claims 10, 12, and 14. Therefore, the *prima facie* obviousness of claims 10, 12, and 14 has not been established. Thus, claims 10, 12, and 14 are patentable over Balchunas in view of APA.

Rejection of Claims 1-5 and 7

In the Office Action, the Examiner rejected claim 1-5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Cordy in view of APA. To establish *prima facie* obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *MPEP* §2143.03. Independent claim 1 recites “A light guide panel comprising ... one or more light guiding parts ... provided with a recessed fitting part at one end to facilitate the connection with the light radiating part.” Claims 2-5 and 7 depend from claim 1 and thus, also include this claim language. Applicant respectfully submits that Cordy in view of APA do not disclose, teach, or suggest this claim language.

The Examiner on page 4 of the Office Action stated that “Cordy, Jr. does not disclose the recessed fitting part.” The Examiner then asserted that APA “discloses a slanted light guide part with a recessed fitting part (drawing sheet of Fig. 3).” However, Applicant respectfully

disagrees and submits that APA does not disclose a slanted light guide part with a recessed fitting part.

First, APA, as shown in Figure 3, does not include a slanted light guiding part. For example, APA on page 3, lines 7-9, discloses that “reflection sheets (130) were provided to cover the light source (120), and thus the light guide panel (110) having a thickness less than the diameter of the light source (120) has been used.” The reflection sheets (130) merely cover the light source. The reflection sheets (130) are not part of the light guide panel and are not a slanted light guiding part.

Furthermore, one of skill in the art would not interpret the reflection sheets (130) as part of a slanted light guide part or part of the housing of the light source (120). Specifically, Figure 8 of the specification shows a slanted light guiding part (15) of the invention disposed within an opening of the housing of the light source (120). Because the housing and the slanted light guiding part (15) are shown separately and the slanted light guiding part (15) is discussed in isolation from the housing, *see* Figures 6, 8, 9, 10, and 11 and their associated text, one of skill in the art would interpret the housing and the light guiding to be separate and distinct. In other words, the APA at best discloses the light source housing with a recessed fitting part which is separate and distinct from the claimed slanted light guiding part with a recessed fitting part.

Second, the reflection sheets (130) do not provide a recessed fitting part as recited in claims 1-5 and 7. Specifically, the reflection sheets (130), which the Examiner apparently asserted to be the slanted light guiding part (15), provide an opening and chamber for the light source (120) and an end of the light guide panel (110) to extend through. This opening of APA is structurally different than the recessed fitting part of claims 1-5 and 7 and as shown in Figure 10(e). The recessed fitting part of claims 1-5 and 7 is a structure that “contacts the side end of the light radiating part when connected.” In contrast, the opening of APA does not contact the side end of the light radiating part, but only contacts the front side and the back side of the light guide panel (110). Therefore, the reflection sheets (130) do not provide recessed fitting part as recited by claims 1-5 and 7. Accordingly, APA does not disclose, teach, or suggest that one or more light guiding parts are provided with a recessed fitting part at one end to facilitate the connection with the light radiating part.

Consequently, Cordy in view of APA does not disclose all of the elements of claims 1-5 and 7. Therefore, the *prima facie* obviousness of claims 1-5 and 7 has not been established. Thus, claims 1-5 and 7 are patentable over Cordy in view of APA.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. R. Witt", is written over a horizontal line.

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